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**Benton County Planning Board
Public Hearing
Technical Advisory Committee Meeting**

November 3, 2021
6:00 p.m.
Benton County Administration Building
215 East Central Avenue
Bentonville, AR 72712

Meeting Minutes

PUBLIC HEARING:

Call to Order: The meeting was convened at 6:00 p.m. by the Planning Board Chair, Mr. Bracy.

Roll Call: Bob Bracy, Sean Collyge, Theresa Neal, Terry Maienschein, Stephen Torrez, Bethany Rosenbaum and Rick Williams were present.

Staff present: Taylor Reamer – Director of Planning, Madison Kienzie – Senior Planner, Sandra Garza – County Planner

Public Present: See sign in sheet

Disposition of Minutes: October 20, 2021

Mr. Williams motioned to approve the October 20, 2021, Planning Board Meeting minutes. The motion was seconded by Dr. Neal.

Motion approved: 6 – 0

General Public Comment: None

Old Business: None

New Business:

- I. **Dement Major Replat, case no. 21-298, 8662 Woods Rd, Rogers, 18-03466-000**

Representative: Steven Dement, 8746 Woods Rd, Rogers

Staff gave presentation

Public Comment: None

Mr. Williams motioned to approve; Mr. Maienschein seconded the motion.

Motion approved: 6-0

2021 NOV 13 AM 8:42

II. **Gordon Waiver, case no. 21-341, 22600 Folsom Pt, Garfield, 15-03980-000**

Representative: Larry Gordon, 22327 Indian Point Rd, Garfield

Staff gave presentation

Public Comment: None

Dr. Rosenbaum asks Mr. Reamer about an email received from the public, asks if anything on the letter has been verified to a certain extent.

Mr. Reamer replies that the letter was reviewed, some of the items have been verified, there are portions that are 100 percent accurate.

Dr. Rosenbaum clarifies, are not?

Mr. Reamer replies, that's correct

Dr. Rosenbaum states that one of her thoughts on there, is the language. Whether one thing is right or the other. One is it rare to bore under the road for a septic and two having a septic on another lot that is not on the same as the dwelling, has this type of situation been approved in the past?

Mr. Reamer states it has been done, by this board.

Mr. Bracy asks if the septic system is in place.

Mr. Gordon states it is.

Mr. Bracy asks how many square feet the house is.

Mr. Gordon states it is 2,600 sq ft.

Mr. Bracy asks if the septic system was done and approved by a contractor.

Mr. Gordon states it was by excavator Bob McKinzie, he is an approved and licensed contractor in Benton County.

Mr. Bracy asks if any of the septic system is exposed.

Mr. Gordon states the affluent line that goes out to the field is partially exposed and by code is acceptable.

Mr. Bracy asks for clarity, is it or is it not exposed?

Mr. Gordon states the four-inch PVC pipe is not required to be buried and is allowed above ground.

Mr. Torrez asks, when did you buy this property?

Mr. Gordon replies approximately four years ago and it had a septic inspection on

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2021 NOV 18 AM 8:42

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CO & PROBATE CLERK
DEWITT COUNTY, AR

it, but they changed the inspection rules.

Mr. Torrez asks, when did you build on the property?

Mr. Gordon states he is eight months into the construction process.

Mr. Torrez replies, so you are not 100 percent complete?

Mr. Gordon states he is not, he has a few months left.

Mr. Torrez asks if he had a surveyor

Mr. Gordon replies that the property was surveyed.

Mr. Torrez asks if he had a professional engineer or architect to help with the design.

Mr. Gordon replies he does, he has architectural plans from Dennis Zuilly.

Mr. Torrez asks if he had a civil engineer too.

Mr. Gordon replies he did.

Mr. Torrez asks, at that type where did everyone determine the septic system would be located with the relationship of the home.

Mr. Gordon states the septic tank is typically placed within 100-feet from the home, and his is, which is on the upper lot. It's just the affluent that comes out and releases into the field.

Mr. Torrez asks Mr. Gordon if the engineer actually designed for the septic to be on the other side of the road.

Mr. Gordon states he had gotten tentative approval to put it up on the lot at one point, but what they figured out after a while was that this property is very slanted and it was going to need laterals all the way around it, a lot became available and he purchased it, contingent upon ADH approval for the septic system.

Mr. Torrez comments to Mr. Gordon, so you changed the design because initially, you were going to discharge within your own parcel, then found out there were some issues and decided it would be best to discharge it on another lot. Now some neighbors have some concerns about that.

Mr. Gordon states a complaint that there was, was that he was within 100 feet of a well. They called the health department and they came out, it was actually 260 feet.

Mr. Torrez states he has concerns about going underneath a road, it's nice to have everything under just one parcel too.

Mr. Gordon states he was going to try to combine the lots into one parcel but that

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2021 NOV 18 AM 8:42

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SEWELL COUNTY, AR

was a lengthy process as well as that he isn't able to due to it being on a different phase of his subdivision.

Mr. Bracy states the board has approved septic systems on other lots, in the past.

Mr. Williams asks if the lot is continuous with the road.

Mr. Gordon states that it is, he had to post a bond and follow the requirements for the approval.

Dr. Rosenbaum asks for clarity, in the last meeting something was stated so that the two lots will maintain together.

Mr. Reamer states that the property owners will have to submit a deed restriction essentially preventing the two lots from ever being separated by any sort of sale or other real estate conveyance.

Mr. Gordon comments, he would be happy to do that.

Mr. Torrez asks if there are any other dwellings on the property.

Mr. Gordon states there is not.

Mr. Torrez asks if there was an option to make the house smaller or place it on another part of the parcel, could the septic system have been placed on the same parcel?

Mr. Gordon replies no, this is literally a solid flat rock surface. The property washes out quite frequently and we were afraid the lateral lines would washout so we decided to go with this process.

Mr. Maienschein motioned to approve; Dr. Neal seconded the motion.

Motion approved: 7-0

TECHNICAL ADVISORY COMMITTEE

Call to Order

Old Business / Ongoing Applications: None

New Business:

- i. **JHSV LLC – Dutchmans Drive Major Subdivision Preliminary Plat, case no. 21-359, Dutchmans Drive, Rogers, 18-03122-010**

Representative: Jason Ingalls, 9200 Suits US Dr, Bella Vista

Staff gave presentation

FILED

2021 NOV 18 AM 8:42

Mr. Ingalls comments on the drainage report and there not being much of a change going on because there is drainage on both sides of the retention area.

Mr. Reamer states that in the past they have taken the 10-year event, if it cannot be detained within the development area, you could seek additional approval from the planning board depending on how the drainage report comes back.

Mr. Torrez comments that many subdivisions have ponds and retention areas, we just don't want it running into other people's properties.

Mr. Ingalls understands that the regulations on drainage have changed since the last time he created a subdivision and he will obey by what needs to be done.

Mr. Bracy states there are runoffs that exist that only run off into one's property but does not go into other properties.

Mr. Reamer states that's what is in county's ordinance.

Mr. Torrez questions the end of the cul-de-sac, what determines the 48-foot.

Mr. Ingalls states that the fire code distinguishes that. The code states a 48-foot requirement.

Mr. Torrez states that some turn arounds are larger than others and some moving trucks still have trouble when turning around.

Mr. Bracy states a fire truck will always want an easy way of turning around in case of an emergency.

Mr. Reamer states usually there is a 96-foot diameter for a turn around by ordinance.

Mr. Bracy asks about the access road, there is property that accesses the county road, why don't you use it instead of having to get access through another property, is that an approved easement or right of way?

Mr. Ingalls states the property owner owns the property the road will go through; they platted a 50-foot access easement.

Dr. Rosenbaum asks Mr. Reamer for confirmation, the code does not have requirements for the two entrance and exit

Mr. Reamer states the county does not.

Dr. Rosenbaum asks about any code for open space for subdivisions.

FILED

2021 NOV 18 AM 8:42

Mr. Reamer states that the subdivision regulations there is a provision on open space, like recreational areas to be provided by the development, wherever practical. On subdivisions with a quarter acre lot where they have amenities, playgrounds, community pools etc. This open space by county ordinance doesn't necessarily correlate with those situations.

Mr. Ingalls clarifies the ingress/egress code, that in subdivisions with about 30 plus lots, it is required by fire code to have multiple entrances.

Mr. Bracy states there are about 14 items on the list to address, asks if they will be ready for the next meeting.

Mr. Reamer states they are mostly minor revisions to be made and can be taken care of administratively.

II. Bedrock Self-Storage Site Plan Review, case no. 21-363, 12002 W AR Hwy 72, Bentonville, 18-09659-002

Representative: Jason Ingalls, 9200 Suits US Dr, Bella Vista

Staff gave presentation.

The Planning Board, the applicant, and County staff discussed the following aspects of the project:

1. Currently proposed building locations and layouts.
2. Currently proposed landscaping and building setback layouts.

The Planning Board recommended making all requested revisions and be prepared to present the revised plans at the public hearing.

III. Rural Propane Site Plan Review, case no. 21-379, 12141 S AR Hwy 73, Gentry, 18-15772-000

Representative: Denny Hardbarger

Staff gave presentation.

The Planning Board discussed the project with the applicant.

The Planning Board requested the applicant make the requested revisions and present at the public hearing.

IV. Vandiver Subdivision and Waiver, case no. 21-336 + 21-384, Leonard Ranch and Beaty Road, Gravette, 18-14840-003

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2021 NOV 18 AM 8:42

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Representative: Adam Vandiver

Staff gave presentation.

The Planning Board reviewed and discussed the project proposal with the applicant.

The project to be considered at the next public hearing.

Other Business: None

Staff Updates - Administrative Approvals:

- I. James Property Line Adjustment, case no. 21-301, 10198 Sugar Creek Road, Bentonville, 18-02533-000
- III. Beckham Property Line Adjustment, case no. 21-340, 10082 + 14790 Old Campbell Road, Rogers, 18-03899-000
- IV. Tekk Lot Combination, case no. 21-346, 9309 Larue Road, Rogers, 15-01447-000
- V. Mitchell Minor Subdivision, case no. 21-355, 16898 Stage Coach Rd, Gravette, 72736; 18-12176-000
- VI. Jasper Lot Combination, case no. 21-364, 5456 Brighterwater Xing, Rogers, 15-18430-000

Discussion Item: None

Meeting Adjourned: 8:00 p.m.

Next Meeting: November 17, 2021

APPROVED THIS Nov 17th DAY OF _____, 2021.

ATTEST:


PLANNING DIRECTOR

APPROVED:


PLANNING BOARD CHAIR or
PLANNING BOARD VICE CHAIR